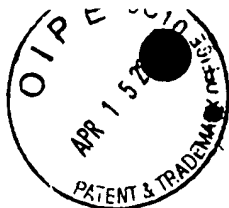


PATENT



6/7 5/14 2/12  
ATTY. DOCKET: TOPP-P2-US

**MARK A. GARZIA**

A PROFESSIONAL CORPORATION

10 VETERANS SQUARE

P.O. BOX 288

MEDIA, PA 19063-0288

PATENT, TRADEMARK,  
COPYRIGHT AND  
RELATED MATTERS

ATTORNEY AT LAW

Admitted in PA and NJ

Registered Patent Attorney

Telephone: 610.566.5050

Facsimile: 610.566.1030

E-mail: patent@crafttech.com

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS : Daniel P. Topp  
TITLE : COMBUSTION SYSTEM FOR A HEATER  
APPLN. NO. : 09/852,445  
FILING DATE : May 9, 2001  
EXAMINER : K. Ferko  
ART UNIT : 3743

TO: Assistant Commissioner for Patents  
Washington, DC 20231

RECEIVED  
MAY 23 2002  
TECHNICAL SERVICES 3100

COPY OF PAPERS  
ORIGINALLY FILED

\* \* \* \* \*

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence, along with any paper or fee indicated as being enclosed, are being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on April 3, 2002.

3 APRIL 2002

Date

Mark A. Garzia

\* \* \* \* \*

**TRANSMITTAL LETTER ACCOMPANYING  
RESPONSE TO RESTRICTION REQUIREMENT**

Dear Sir:

Transmitted herewith is a Response to Restriction Requirement (4 pgs.) in the above-captioned application.

☒ Small entity status of this application pursuant to 37 C.F.R. §1.9(f) and §1.27(b) has been established.

☐ It is believed that no extension of term is required. However, this conditional petition is being made to provide for the possibility that Applicant has inadvertently overlooked the need for a Petition for Extension of Time under 37 C.F.R. §1.136(a).

☒ Applicant petitions for an Extension of Time under 37 C.F.R. §1.136 (fees: 37 C.F.R. §1.17(a) - (d) for the total number of months checked below:

<u>Extension Months(s)</u>	<u>Fee For Other Than Small Entity</u>	<u>Fee For Small Entity</u>
<input checked="" type="checkbox"/> 1 Month	\$110.00	\$ 55.00
<input type="checkbox"/> 2 Months	\$400.00	\$200.00
<input type="checkbox"/> 3 Months	\$920.00	\$460.00
<input type="checkbox"/> 4 Months	\$1440.00	\$720.00
<input type="checkbox"/> 5 Months	\$1,960.00	\$980.00

☐ A Terminal Disclaimer Pursuant to 37 C.F.R. § 1.321(b) and (c) is enclosed.

☐ An Assignment ( pgs.) is enclosed.

☐ Assignment Cover Sheet (1 pg.)

☐ An Information Disclosure Statement Pursuant to 37 C.F.R. §§1.56, 1.97 and 1.98 ( pgs.) is enclosed.

☐ Form PTO-1449.

☐ References

☒ A postage-prepaid, self-addressed postcard to acknowledge receipt of this communication is enclosed.

☒ [XX] Fee Transmittal for FY 2002 is enclosed (1 pg.)

☐ [ ] Other

☐ [ ] Marked-Up Claims Pursuant to 37 CFR § 1.121 (\_\_\_ pgs.)

☐ [ ] Marked-Up Specification Pursuant to 37 CFR § 1.121 ( pg.)

☒ [XX] No additional claim fee is required.

☐ [ ] Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_. Two copies of this transmittal are attached.

☒ [XX] Payment is made by:

☐ [ ] Check No. \_\_\_\_\_ in the amount of \$\_\_\_\_\_ to cover the fee is enclosed.

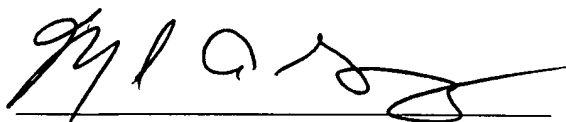
☒ [XX] Credit Card Payment Form PTO-2038 in the amount of \$55 to cover the extension fee is enclosed.

☐ [ ] The Commissioner is hereby authorized to charge any deficiency in fees associated with this communication, or credit any overpayment, to Deposit Account No. \_\_\_\_\_. Two copies of this transmittal are attached.

Respectfully submitted,

3 APRIL 2002

Date



Mark A. Garzia, Esquire  
Registration No. 35,517

Law Offices of Mark A. Garzia  
P.O. Box 288  
Media, PA 19063-0288  
Telephone: (610) 566-5050  
Facsimile: (610) 566-1030



Approved for use through 10/31/2002. OMB 0851-0032  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 55

## Complete If Known

Application Number 09/852,445  
Filing Date May 9, 2001  
First Named Inventor Topp, Daniel P.  
Examiner Name Ferko, K.  
Group Art Unit 3743  
Attorney Docket No. TOPP-P2-US

## METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number  
Deposit Account Name

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:

☐ Check ☒ Credit card ☐ Money Order ☐ Other

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65			Surcharge - late filing fee or oath	
127	50	227	25			Surcharge - late provisional filing fee or cover sheet	
139	130	139	130			Non-English specification	
147	2,520	147	2,520			For filing a request for ex parte reexamination	
112	920*	112	920*			Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*			Requesting publication of SIR after Examiner action	
115	110	215	55			Extension for reply within first month	
116	400	216	200			Extension for reply within second month	
117	920	217	460			Extension for reply within third month	
118	1,440	218	720			Extension for reply within fourth month	
128	1,960	228	980			Extension for reply within fifth month	
119	320	219	160			Notice of Appeal	
120	320	220	160			Filing a brief in support of an appeal	
121	280	221	140			Request for oral hearing	
138	1,510	138	1,510			Petition to institute a public use proceeding	
140	110	240	55			Petition to revive - unavoidable	
141	1,280	241	640			Petition to revive - unintentional	
142	1,280	242	640			Utility issue fee (or reissue)	
143	460	243	230			Design issue fee	
144	620	244	310			Plant issue fee	
122	130	122	130			Petitions to the Commissioner	
123	50	123	50			Processing fee under 37 CFR 1.17(q)	
128	180	126	180			Submission of Information Disclosure Stmt	
581	40	581	40			Recording each patent assignment per property (times number of properties)	
146	740	246	370			Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370			For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370			Request for Continued Examination (RCE)	
169	900	169	900			Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 55

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370			Utility filing fee	
106	330	206	165			Design filing fee	
107	510	207	255			Plant filing fee	
108	740	208	370			Reissue filing fee	
114	160	214	80			Provisional filing fee	

SUBTOTAL (1) (\$ 0

### 2. EXTRA CLAIM FEES

Total Claims 18  
Independent Claims 3  
Multiple Dependent Claims  
Extra Claims  
Fee from below  
Fee Paid

Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9			Claims in excess of 20
102	84	202	42			Independent claims in excess of 3
104	280	204	140			Multiple dependent claim, if not paid
109	84	209	42			** Reissue independent claims over original patent
110	18	210	9			** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

## SUBMITTED BY

Name (Print/Type) Mark A. Garzia  
Signature [Signature]  
Registration No. (Attorney/Agent) 35,517  
Complete (if applicable)  
Telephone 610-566-5050  
Date 3 APRIL 2002

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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